

THE HONORABLE THOMAS S. ZILLY

U.S. DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON

STRIKE 3 HOLDINGS, LLC, a Delaware  
corporation,

Plaintiff,

vs.

JOHN DOE, subscriber assigned IP  
address 73.225.38.130,

Defendant.

NO. 2:17-cv-01731-TSZ

**[PROPOSED] ORDER GRANTING  
THE MOTION FOR SUMMARY  
JUDGMENT OF NON-  
INFRINGEMENT AND AN AWARD  
OF ATTORNEY FEES AND COSTS**

JOHN DOE subscriber assigned IP  
address 73.225.38.130,

Counterclaimant,

vs.

STRIKE 3 HOLDINGS, LLC,

Counterdefendant.

**WHEREAS:**

Plaintiff Strike 3 Holdings, LLC sued Defendant JOHN DOE subscriber assigned IP address 73.225.38.130, for the infringement of 87 Works. (Docket 43-1). Defendant counterclaimed a declaratory relief of non-infringement on the 87 works.

This Court ordered Defendant to file a motion for summary judgment on the issue of non-infringement of the 87 works and also prove-up fees and costs. Defendant timely filed this

1 motion and provided evidence that there was no triable issue of fact that Strike 3 Holdings, LLC  
2 can demonstrate that John Doe infringed the 87 works. This Court finds that John Doe did not  
3 infringe the 87 works.

4 John Doe is the prevailing party under the Copyright Act. 17 USC §505. John Doe has  
5 demonstrated reasonable fees and costs pursuant to a Lodestar analysis. John Doe is entitled to  
6 fees and costs and is awarded the amounts of \_\_\_\_\_ (fees) and \_\_\_\_\_ (costs) for a total of  
\_\_\_\_\_.  
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8 So Ordered:  
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United States District Court  
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